

Remarks

The claims have been renumbered and dependencies corrected.

Claim 13 has been amended by deleting reference to subfragment in subpart (a) of the claim. Subpart (b) of claim 13 has been amended to recite stringent hybridization wash conditions. Support for this can be found in the specification in Example 3. Thus, no new matter has been added.

Claims 25-28 are newly added. The basis for these claims is found in the specification at least at page 7, lines 37-38, for the term "endogenous gene", and at page 10, the paragraph beginning at line 1. No new matter has been added.

Concerning the rejection of claims 13-24 under 35 U.S.C. 112, first paragraph, claim 13 has been amended to remove reference to the term "subfragments".

Accordingly, withdrawal of this ground of rejection is respectfully requested.

Claims 13 and 21 and claims 14-20 and 22-24 were rejected under 35 USC §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 13 has been amended to recite specific hybridization wash conditions. Claim 13 has also been amended to delete the extraneous phrase appearing at the end of the claim.

The dependency of claim 14 (formerly claim 13) has been corrected.

Claim 21 has been amended to address the issues raised by the Examiner on page 5 of the Office Action.

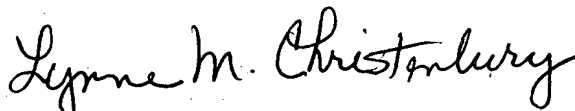
Claims 25-28 concern use of the claimed promoter in constructs designed for use in cosuppression. Support for this was cited above.

Accordingly, withdrawal of the rejection of the claims under 35 USC §112, second paragraph, is respectfully requested.

It is respectfully submitted that the claims are now in form for allowance which allowance is respectfully solicited.

Please charge any fees or credit any overpayment of fees which are required in connection with the filing of this Response After Final to Deposit Account No. 04-1928 (E. I. du Pont de Nemours and Company).

Respectfully submitted,



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